



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1470
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/735,533 | 12/12/2003 | Michael Skopec | R026 P00745-US1 | 2687 |

3017 7590 11/01/2006

BARLOW, JOSEPHS & HOLMES, LTD.
101 DYER STREET
5TH FLOOR
PROVIDENCE, RI 02903

| |
|----------|
| EXAMINER |
|----------|

PANNALA, SATHYANARAYA R

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2164

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/735,533

Applicant(s)

SKOPEC ET AL.

Examiner

Sathyanarayan Pannala

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant Amendment filed on 8/23/2006 in response to the Office Action has been entered. In this Office Action, claims 1-7 are pending.

Specification

2. The Amendment to the specification filed on 8/23/2006 with amended abstract entered and approved by the Examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Chan et al. (US Patent 6,493,711) hereinafter Chan.

5. As per independent claim 1, Chan teaches a method and for use in a database management system for managing a database containing data and has storage for data in the database (col. 12, lines 14-19). Chan teaches the claimed, providing a database capable of having record data loaded therein (Fig. 3, 9a, col. 12, lines 35-40). Chan teaches the claimed, providing a computer's main memory (Fig. 3, col. 6, lines 38-43). Chan teaches the claimed, providing record data for loading into the database and the record data residing in the computer's main memory (Fig. 3, col. 6, lines 38-43). Chan teaches the claimed, invoking a coordinating program (Fig. 3, col. 6, lines 44-45). Chan teaches the claimed, invoking a load utility program that issues record data input requests, opens record data from external media and loads record data to the database therefrom and the load utility having a required syntax (Fig. 3, col. 12, lines 60-63). Chan teaches the claimed, with the coordinating program, intercepting record data input requests from external media made by the load utility program (Fig. 3, col. lines 38-43). Chan teaches the claimed, replacing the record data input request from external media with record data input requests from the computer's main memory (Fig. 9b, 11, col. 13, lines 42-49). Chan teaches the claimed, inserting record data from the computer's main memory directly into the database by the load utility and whereby delays encountered by reading of input files on the external media by the load utility is avoided (Fig. 3, 11, col. 6, lines 38-43 and col. 13, lines 45-49).

6. As per dependent claim 2, Chan teaches the claimed, providing an application data section in the computer's main memory and providing an input buffer section in the computer's main memory (Fig. 3, col. 6, lines 38-50).

7. As per dependent claim 3-4, Chan teaches the claimed, providing record data in the application data memory section, moving record data in the application data section to the input buffer section of the computer's main memory by the load utility and inserting record data from the input buffer section of the computer's main memory directly into the database (Fig. 3, col. 6, lines 38-50, col. 17, line 66 to col. 18, line 4).

8. As per dependent claim 5, Chan teaches the claimed, providing an operating system and access method for the record data, providing a default input routine by the access method for the operating system and replacing the default input routine provided by the operating system's access method with an optimized input routine (Fig. 1, col. 4, lines 4-17).

9. As per dependent claim 6, Chan teaches the claimed, the step of replacing the input routine provided by the operating system's access method further comprises: formatting the record data to the syntax required by the load utility and moving formatted record data from the application data memory section to the input buffer section for later processing by the load utility (Fig. 1, col. 4, lines 8-12).

10. As per dependent claim 7, Chan teaches the claimed, the step of replacing the input routine provided by the operating system's access method further comprises: formatting the record data to the syntax required by the load utility and copying formatted record data from the application data memory section to the input buffer section for later processing by the load utility (Fig. 1, col. 4, lines 8-12).

Response to Arguments

11. Applicant's arguments filed on 8/23/2006 have been fully considered but they are not persuasive and details as follows:

a) Applicant's argument stated as "Chan discloses prior art methods of bulk loading of data into databases,..." (see page 4, paragraph last).

In response to applicant's argument, examiner respectfully disagrees because Applicant did not discuss about the specific method in the current invention. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

b) Applicant's argument stated as "Chan does not disclose the use of a separate coordinating program which intercepts data input requests made by the load utility program."

In response to applicant's argument, examiner respectfully disagrees because Applicant's general arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

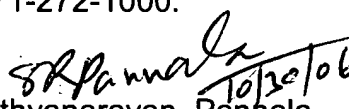
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sathyanarayan Pannala whose telephone number is (571) 272-4115. The examiner can normally be reached on 8:00 am - 5:00 pm.

Art Unit: 2164

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Sathyanarayan Panhala
Examiner
Art Unit 2164

srp
October 23, 2006